

COPY

Express Mail No. EL570382115US

Attorney's Docket No. MTC 6796

DECLARATION AND POWER OF ATTORNEY

REGULAR OR DESIGN APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

NUCLEIC ACID SEQUENCES ENCODING β-KETOACYL-ACP SYNTHASE AND USES THEREOF

the specification of which:

(check one)

[X] is attached hereto

[] was filed on _____ as Application Serial No.

_____, and was amended on _____.

[] was described and claimed in PCT International Application

No. _____, filed on _____ and as amended

under PCT Article 19 on _____, if any.

ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations §1.56.

PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code, §119 (a) - (d) or §365(b) of any foreign application for patent or inventor's certificate, or §365(a) of any PCT application which designates at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Priority Claimed

(Number) (Country) (Day/Month/Year Filed)

(Number) (Country) (Day/Month/Year Filed)

(Number) (Country) (Day/Month/Year Filed)

Priority Not Claimed

**ANY FOREIGN APPLICATION(S), ON THE SAME SUBJECT MATTER WHICH HAS
A FILING DATE EARLIER THAN THE EARLIEST APPLICATION FROM WHICH
PRIORITY IS CLAIMED**

(Number) (Country) (Day/Month/Year Filed)

CLAIM FOR BENEFIT OF PROVISIONAL APPLICATION(S)

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

60/220,702 July 25, 2000
(Application Number) (Filing Date)

(Application Number) (Filing Date)

**CLAIM FOR BENEFIT OF EARLIER U.S. APPLICATION(S)
UNDER 35 U.S.C. 120**

(complete this part only if this is a divisional,
continuation or CIP application)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s), or §365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

(Serial No.) (Filing Date) (Status)

(Serial No.) (Filing Date) (Status)

POWER OF ATTORNEY

I hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Irving Powers (15,700), Donald G. Leavitt (17,626), John K. Roedel, Jr. (25,914), Michael E. Godar (28,416), Edward J. Hejlek (31,525), William E. Lahey (26,757), Richard G. Heywood (18,224), Frank R. Agovino (27,416), Kurt F. James (33,716), G. Harley Blosser (33,650), Paul I. J. Fleischut (35,513), Vincent M. Keil (36,838), Robert M. Evans, Jr. (36,794), Robert M. Bain (36,736), Kathleen M. Petrillo (35,076), David E. Crawford, Jr. (38,118), Richard L. Bridge (40,529), Christopher M. Goff (41,785), Derick E. Allen (43,468), Matthew L. Cutler (43,574), Michael G. Munsell (43,820), Karen Y. Hui (44,785), Anthony R. Kinney (44,834), Brian P. Klein (44,837), Sarah J. Chickos (46,157), Donald W. Tuegel (45,424), Steven M. Ritchey (46,321), Michael J. Thomas (39,857), Kathryn Doty (40,593), Laura R. Polcyn (47,000), James J. Barta, Jr. (47,409), John M. Bodenhausen (47,432), James E. Davis (47,516), Richard A. Schuth (47,929), Debra D. Nye (48,260), and Jennifer E. Cook (48,330), all of the law firm of SENNIGER, POWERS, LEAVITT & ROEDEL, One Metropolitan Square, 16th Floor, St. Louis, Missouri 63102, and Brian K. Stierwalt (33,213) and Joseph A. Schaper (30,493), of Monsanto Company, 800 N. Lindbergh Boulevard, St. Louis, Missouri 63167.

D. Harry Blosz

Send Correspondence To: Direct Telephone Calls To:

Customer Number: 000321 John K. Roedel
(314) 231-5400

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor Katayoon Dehesh

Inventor's signature K. Dehesh Date 10.19.01

Residence California Citizenship USA

Post Office address 521 Crownpointe Circle
Vacaville, CA 95687

Full name of second joint inventor _____

Second inventor's signature _____ Date _____

Residence _____ Citizenship _____

Post Office address _____

COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Katayoon DEHESH

Appln. No. 09/915,182

Group Art Unit: 1638

Filed: July 25, 2001

Examiner: E. McElwain

For: Nucleic Acid Sequences Encoding
Beta-Ketoacyl-ACP Synthase and
Uses Thereof

Attorney Docket: 16518.087

**Revocation of Prior Power of Attorney,
Appointment of New Attorneys of Record and
Change of Correspondence Address**

Commissioner for Patents
Washington, D.C. 20231

Sir:

CALGENE LLC (formerly known as Calgene, Inc.) is the assignee of the entire right, title and interest in the above-identified application by virtue of the assignment recorded on December 13, 2001 at the U.S. Patent and Trademark Office at Reel 012381, Frame 0926. The undersigned, having express authority to represent CALGENE LLC (formerly known as Calgene, Inc.) as assignee, hereby revokes all powers of attorney heretofore given in the above-captioned application and appoints the attorneys listed below with full power of substitution, association, and revocation, to prosecute said application and to transact all business in the U.S. Patent and Trademark Office connected therewith.

Timothy C. Bickham, Reg. No. 41,618
Andrew S. Brenc, Reg. No. 45,534
Scott A. Chambers, Reg. No. 37,573
Jay Chawla, Reg. No. 44,073
June E. Cohan, Reg. No. 43,741
Alissa M. Eagle, Reg. No. 37,126
James R. Farrand, Reg. No. 38,136
Joel M. Freed, Reg. No. 25,101
Dawn M. Gardner, Reg. No. 44,118
Barry Herman, Reg. No. 51,254
Dennis R. Hoerner, Jr., Reg. No. 30,914
Leslie L. Jacobs, Jr., Reg. No. 40,659

David R. Marsh, Reg. No. 41,408
Joseph Micallef, Reg. No. 39,772
Lisa A. Penoyer, Reg. No. 51,204
Holly Logue Prutz, Reg. No. 47,755
Joseph W. Ricigliano, Reg. No. 48,511
Sidney A. Rosenzweig, Reg. No. 43,893
William Sekyi, Reg. No. 45,831
Ali R. Sharifahmadian, Reg. No. 48,202
Michael J. Songer, Reg. No. 39,841
Milan M. Vinnola, Reg. No. 45,979
Robert Jones Worrall, Reg. No. 37,969

Please address future correspondence to

David R. Marsh, Esq.
ARNOLD & PORTER
555 Twelfth Street, NW
Washington, DC 20004-1206

Telephone calls should be directed to 202.942.5000 and facsimile transmissions to 202.942.5999.

FOR: CALGENE LLC (formerly known as Calgene, Inc.)

SIGNATURE: Alissa A. Eagle

BY: Alissa A. Eagle

TITLE: Asst Secretary

DATE: September 17 2002